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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/561,063

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Franco Giovanni Ottino

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EXAMINER

BLACK, MELISSA ANN

ART UNIT

PAPER NUMBER

3612

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/561,063	<b>Applicant(s)</b> OTTINO, FRANCO GIOVANNI	
	<b>Examiner</b> MELISSA A. BLACK	<b>Art Unit</b> 3612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 June 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection. Claims 1, 2 and 4-9 are pending in the application and rejected as set forth below.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2 and 4-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over FR 2 760 035 to Gilles in view of US Pat # 1,652,953 to Patterson.

Re Claims 1, 4, 8 and 9, Gilles discloses a door (See Figure 7) for a motor vehicle having an inner side, facing, in use, the inside of the motor vehicle itself, and an opposite, outer, side, said door comprising a supporting framework (See Figure 6), means (11) for supporting an external rear-view mirror, a lock (20) for blocking the door in a closing position, and a key assembly (14), which is operatively connected to said lock (20) and can be selectively actuated by means of a control key for disabling/enabling opening of said lock (20) from the outside of the motor vehicle, said key assembly (14) comprising a casing (12) and a key unit (See Figure 5) housed within said casing (12), which is operatively connected to said lock (20) and can be displaced with respect to the casing (12) itself by means of said control key, said door being characterized in that said casing (12) of said key assembly is rigidly fixed to said framework (See

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Figure 6), and in that said key assembly (14) is covered, towards the outer side of the door, by said supporting means (11) for supporting said rear-view mirror and is accessible from the outside through a seat (See Figure 5) made in the supporting means (11) themselves.

Re Claims 1, 4, 8 and 9, Gilles fails to distinctly disclose said casing (12) of said key assembly (14) is rigidly fixed, via releasable fixing means, to a face of said attachment element (16) set between said supporting means and a through opening (See Figure 6), wherein said face of said attachment element faces towards the inner side of the door.

Patterson teaches a casing (13) of the key assembly is rigidly fixed, via releasable fixing means (screws and peripheral flange 19) (See figure 2) to a face of an attachment element (15) wherein said face of said attachment element faces towards the inner side of the door (see figure 2).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to include releasable fixing means as taught by Patterson on the device of Gilles in order to make the Key assembly replaceable if broken and strengthen the connection.

Re Claim 2, Gilles discloses that said framework defines, at the top, a window opening for housing a mobile window and, in front of said window opening, said through opening (see figure 6) covered towards the outside by said means (11) for supporting said rear-view mirror, and in that said casing (12) of said key assembly (14) is housed through said opening (See Figure 6) of said framework. Re Claim 5, Gilles discloses said casing (12) of said key assembly (14) extends from said attachment element (16) towards the inner side of the door and co-operates head-on with a side edge of said seat of said supporting means (11). Re Claim 6, Gilles discloses said supporting means (11) comprise a base plate (5) applied externally on the door and defining

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said seat for access to said key assembly (14), and an arm for attachment for the rear-view mirror, extending in cantilever fashion from said base plate (5, See Figure 5).

Re Claim 7, Gilles fails to disclose said casing (12) of said key assembly is fixed to said attachment element (16) with the interposition of a reinforcement element between said casing (12) and said face of said attachment element (16).

Patterson teaches said casing (13) of said key assembly is fixed to said attachment element (15) with the interposition of a reinforcement element (see figure 2) between said casing (13) and said face of said attachment element (15).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to include reinforcement element (pin near reference # 20) as taught by Patterson on the device of Gilles in order to strengthen the connection between the attachment element and the casing.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Pat # 5,316,364 to Ohya discloses the use of a locking assembly at the rear frame of the vehicle door, and US Pat # 6,393,767 to Fukumoto et al teaches the use of a reinforcement (20b) as disclosed in Applicants Claim 7.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MELISSA A. BLACK whose telephone number is (571)272-4737. The examiner can normally be reached on M-F 7:00-3:30 ET.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on (571) 272-6659. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dennis H. Pedder/

Primary Examiner, Art Unit 3612

/D. Glenn Dayoan/

Supervisory Patent Examiner, Art Unit  
3612

/M. A. B./

Examiner, Art Unit 3612

10/8/08